IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 17273 of 2004

Between:

Sangisetti Rambabu, S/o Manikyam,
R/o D.No. 2-3-2, Pithapuram, East Godavari District.

..... PETITIONER

AND

1 The General Manager (GMT), Telecom Department,
Bharat Sanchar Nigam Limited, Rajahmundry, East Godavari

District.

2 The Accounts Officer, (TR-III), Bharat Sanchar Nigam Limited,
O/o The General Manager, Telecom, Rajahmundry, East

Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not restoring the telephone connection to the Telephone STD Booth Bearing No. 252318 is illegal, arbitrary, erroneous and violative of principles of natural justice and violation of Article 14 of the Constitution of India and consequently direct the respondents to restore the Telephone connection to the Phone No. 252318

Counsel for the Petitioner:MR.A.K.KISHORE REDDY

Counsel for the Respondent No.: MR.P.HANUMANTH REDDY

The Court made the following :

ORDER:

The writ petition is filed by Sangisetti Rambabu with a prayer to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not restoring the telephone connection to the Telephone STD Booth bearing No.252318, as illegal, arbitrary, erroneous and violative of principles of natural justice.

2. The petitioner has filed his sworn affidavit in support of the writ petition. It is averred in the writ petition that the respondents have disconnected his telephone because the mother of the petitioner fell in arrears and thus the action of the respondents is not justified.

3. The respondents filed counter affidavit. One C.Surya Chandra Rao has given his sworn counter affidavit. It is stated in the counter affidavit that the petitioner is a chronic defaulter. The particulars of defaults committed by him have been detailed in para No.3 of the counter affidavit.

4. Learned counsel for the petitioner submits that the disconnection of the petitioner's telephone is because of petitioner's mother fell in arrears and therefore, the action of the respondents in disconnecting the telephone of the petitioner is not legal and proper and the same is liable to be set aside.

5. As seen from the records, the petitioner himself was not regular in paying the telephone bills. The petitioner submitted representation undertaking to pay the dues

relating to the telephone number standing in the name of his mother. The disconnection was in the year 2002. The petitioner paid the amounts due towards his telephone in the year-2004. Therefore, the action of the respondents in disconnecting the telephone of the petitioner cannot be found fault.

6. Accordingly, the writ petition is dismissed. No costs.

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24th June, 2005.

mrb

To

1. The General Manager (GMT), Telecom Department,
   Bharat Sanchar Nigam Limited, Rajahmundry, East Godavari

District.
2. The Accounts Officer, (TR-III), Bharat Sanchar Nigam

Limited, O/o The General Manager, Telecom, Rajahmundry,

East Godavari District.

3. Two CD copies.